



Request for Adjournment

**To:** Honorable George B. Daniels  
U.S. District Judge

**Offense:** Ct. 1: Conspiracy to Commit Bank Fraud  
(18 USC 1349)

**From:** Susan P. Krol  
Senior U.S. Probation Officer

**Current Sentence Date:** January 26, 2011

**Re:** Victor Perez-Negrón  
DKT.# 10 CR 755-01(GBD)

**Defense Counsel:** Robert Anthony Evans, Jr.

**Date:** November 30, 2010

**AUSA:** Brian R. Blaise

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An adjournment is requested for the following reason:

Since October 19, 2010, the Probation Office has made multiple attempts by telephone and email to contact defense counsel in order to schedule the presentence interview for the above-cited defendant. We did not get any response. On November 9, 2010, the undersigned officer communicated this matter to Assistant U.S. Attorney Brian R. Blaise, who then sent an email to defense counsel in an attempt to prompt a response. Shortly thereafter, counsel informed the AUSA and the undersigned officer via email that he has been dealing with illness of a family member. Also, shortly thereafter, counsel attempted to contact the undersigned officer and left a voice mail message. Since then, the Probation Office has made additional attempts to contact counsel and no additional responses have been received.

Approximately two weeks ago, the undersigned officer contacted Your Honor's Courtroom Deputy, Elizabeth Vega and related the above history. Ms. Vega advised the Probation Office to comprise a memorandum to Your Honor which outlines our attempts to schedule the presentence interview with defense counsel.

As a result of this delay, the Probation Office is requesting an adjournment of approximately 45 days from the currently-scheduled sentence date, to allow time for interview of the defendant and to complete and disclose the report in accordance with Rule 32. It is hoped that by copy of this memorandum, counsel will promptly contact the undersigned officer to schedule the presentence interview so that this matter may proceed in a timely fashion. In addition, should this office continue to experience difficulty in reaching counsel, Your Honor will be notified through submission of a "Request For Court Direction" memorandum.

Thus, we request an adjournment of the sentence date until at least March 14, 2011, to allow time for this matter may be resolved.

Victor Perez-Negron

58744-S.P. Krol

- 2 -

It is requested that Your Honor indicate the Court's decision as provided on the following page. Counsel will be notified by copy of this form.

Respectfully submitted,

MICHAEL J. FITZPATRICK  
Chief U.S. Probation Officer

By: S.P. Krol  
Susan P. Krol  
Senior U.S. Probation Officer  
(212) 805-5170

Approved by:

Thomas E. Mixon 11/30/10  
Thomas E. Mixon Date  
Supervising U.S. Probation Officer

Victor Perez-Negron

58744-S.P. Krol

- 3 -

AN ADJOURNMENT IS GRANTED: X

IF APPROVED, NEW DATE OF SENTENCE 4/1/2011 TIME & ROOM 10 am, courtroom 21D

REQUEST IS DENIED \_\_\_\_\_

OTHER: \_\_\_\_\_

03 DEC 2010

DATE

HONORABLE GEORGE B. DANIELS  
U.S. DISTRICT JUDGE

George B. Daniels

SPK:spk

cc: Brian R. Blaise  
Assistant U.S. Attorney

Robert Anthony Evans, Jr.  
32 Edgecombe Avenue  
New York, NY 10030

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(Rev.3/98)